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The Nature Extent and Support of Human Laws considered.

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S E R M O N

PREACHED AT THE

A S S I Z E S

HELD AT

O X F O R D,

By the HONOURABLE

Mr BARON CLARKE

AND

Mr JUSTICE FOSTER,

On *Thursday*, March 8. 1749.

By WILLIAM DODWELL D. D. Rector of
Shottesbrook Berks, and *Prebendary of Sarum*.

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Rom. XIII. 3.

*Rulers are not a Terror to good Works,
but to the Evil.*

THERE cannot be a greater Recommendation of the Presence of *Magistrates*, nor Any Thing which can make their Employment more honourable in itself, more satisfactory to their own good Hearts, or more acceptable to Others, than the Consideration offered by the Apostle in the *Text*; and it is introduced by Him in this very Light, on Purpose to recommend their Persons to our Reverence, their Office to our Esteem, and their Precepts to our Obedience. It is indeed the highest Character which can be given to the highest Station on Earth, and at the same time it carries our Thoughts yet farther to the Influence of that Supreme Authority, *by whom Kings reign, and Princes decree Justice*, Prov. 8. 15. It points to the Original, the End, and the Importance of the Institution of *Magistracy*, and shews the *Resemblance* of their Office to that of the *Divine Providence*, as well as its *Usefulness* to those of their *own Species*; for We may say the same even of the Attributes of

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God, that *they are not a Terror to good Works, but to the Evil.* It contains a tacit Admonition to those who are to support this Office, to fulfil the true Intent of it, and a more exprefs Direction to those who are to reap the Benefit of it; to acknowledge the Blessing, to assist in promoting it, and to *accept it always with all Thankfulness.* I will endeavour to offer such farther Observations on it, as may answer the Design of our present Assembling, may awaken and strengthen our good Resolutions, may inspire Us with the Fear of God and the Love of Each Other, may quicken our Zeal in the Execution of *Justice*, and in the sincere Encouragement and Furtherance of *good Works.*

I observe then in the First Place, that St Paul in this Passage, and in all others relating to *Rulers*, always supposes them to be, what they ought to be, Patrons of Virtue and Discouragers of Vice. He never once puts the Case of a *corrupt Magistrate*, who might prove a *Terror to good Works*, or points out what would be the proper Behaviour towards such an one; but He prescribes Submission and Obedience in general to all Ruling Powers, and argues the *Obligation* of this Duty more particularly from the *Usefulness* of their Office, and the great Benefit received from them by Mankind. The Apostle was Himself a Subject, and wrote to Those of the same Station in Life,
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and had therefore little Occasion to enlarge on the Duty of those who were in Authority, more than was contained in that Account of the *beneficial Effects* of their Office, which might influence Others to Obedience. When called to *Speak to Magistrates*, He knew how to reprove those who filled not their Station with Integrity and Conscience, and to apply to such Persons in a very convincing and affecting Manner the important Precepts of *Righteousness* and *Temperance*, and the fundamental Doctrine of a *Judgment to come*. But when He is writing to his Fellow-Subjects, He takes no Notice of any Misbehaviour of Those who were placed over them, but makes the candid Supposition in Favour of their Governours, that they knew and considered and practised aright, and were a *Terror* only to those who *ought* to be terrified; and then infers from the *Benefit* of Government, what Regard and Obedience were due to it. He mentions not a word of their particular Form and Constitution of Government, nor of the great Alteration which had happened in it a few Years before, nor of the Personal Immoralities of the Emperor then reigning, nor of his open Disregard to all Laws and Constitutions; but He states his Doctrine in such a Manner as might be equally true and binding in all Ages and Countries, and under every Form of Government.

He teaches all Christians that the Privileges of their Baptism did not *release them from* but *confirm* the *legal* Obligations that they were before under by the Constitution of their Country ; and that, if they were persecuted for their Faith, they must take their Sufferings patiently, since all Human Authority was as yet against them. But He is far from forbidding them to lay Claim to the Privileges of the Law, when they were on their Side ; nay, more than once He insisted on them in his own Case, when He had been *illegally* treated. He does not indeed enlarge on this Point of *maintaining* their legal Rights any more than on the other of *resigning* them, because this might perhaps be more liable to be misapplied by his Hearers, and to have been interpreted into Sedition by his Governours ; but He leaves all such Cases out of the Question as easy to be determined, whenever they occur, by prudential Application of common Principles, and advances such Doctrines only as are necessary to the Support of all Government, and not easy to be perverted to the Destruction of Any. His very Precepts do indeed suppose *different Forms* of Government, but He meddles not farther with them than to suppose them, and to prescribe Submission to them *as ordained of God*, however the *Form* of the Constitution might be *Human*, or *the Ordinance of Man*,

Man, as his Fellow Apostle St *Peter* expresses it. He never mentions the Supposition of the Encroachment of the Sharers of Authority on Each Other, where the Power by the Constitution is divided and lodged in different Hands; nor takes upon Him to determine by the *Gospel*, what was strictly a Point of *Law*; nor casts any such Reflections on the *Ruling Powers*, as to suppose them to misapply their Office; nor so much as intimates what Course should be taken, if They should employ to the Encouragement of Vice the Authority granted them by Providence for the Support of Virtue. From the remarkable *Silence* of the Apostle as to all such Cases, may We not infer, that They have argued equally without his Authority, and equally against his Intent, who have drawn Inferences from his Doctrine in Favour either of *Tyranny* on the one Hand, or of *Rebellion* on the Other; or who have pleaded his Instruction against his Example, for Submission to illegal Violences, or for Resistance to legal Ordinances? All his Precepts and Admonitions are indeed, (which should be well remembered) on the Side of Authority; but He no where determines in what Person or Persons that Authority should in all Countries subsist, or what Limitations there should be on the Exercise of it; but leaves all such Questions to the Determination of the

the *Laws* of each respective Nation. He does not propose any Alteration in any Constitution, much less to reduce them All to one Model, but He plainly confirms the several Forms, and refers the Subjects of Each, (if his Epistle was, as undoubtedly it was, designed for universal Use) to the Knowledge of their *legal* Obligations for their Rule in this Respect; whilst He urges the Enforcement of such Rule, which was his proper Province, on the Principle of *Conscience*. He could not intend the *Slavery* of all Subjects, because He is continually shewing them, as a Motive to Obedience, the *Benefits* which the People enjoy from Government, which can never be said of those who are in that State: nor could He intend to lessen the Security or weaken the Power of *Rulers* at the Caprice or the Licentiousness of the People; because He is still more express against such Consequences, and guards with more Caution, because here indeed the greater Danger lay, against this Extreme than the Other. The Purport of his whole Discourse was to prevent Disturbances, to promote Peace and Virtue, to secure due Protection from the Governours and Allegiance from the Persons governed; and from the *candid Supposition* which He here makes for the Former, that They really do their Duty, and the *express Inference* which he urges on the Latter, that They should

should do theirs; from this entire Passage We may infer, (and it is All that can be inferred on this Subject from all the inspired Writings) that Government in general is the Ordinance of God for the Use of Man; that our own Constitution is the Rule of our Allegiance; and that it is more Apostolical, in these our Religious Instructions and Exhortations, to press Obedience in general to the Powers that Providence has placed over us, on the charitable Supposal of their proper Protection, than to suggest possible Cases, and the Apprehension of constitutional Breaches, which are more properly the Subject of *Legal* than of *Evangelical* Enquiry.

It may be observed, Secondly, both from the Sentiment and Expression of the *Text*, that the proper Rule of and Motive to right Conduct must arise from other and higher Principles than the Laws and Penalties of the Magistrates. *Rulers are not a Terror to good Works*, nor is it owing to the Fear of Them that Those, who are truly *Good*, deserve that Title. *They are a Terror to evil Works*, not only after they are committed, when Vengeance is expected, but an useful Restraint on bad Minds, an happy Provision to prevent evil Dispositions from breaking forth into evil Actions, even thro' the Apprehension of Punishment. And in this Respect much may be said on the Usefulness

ness and Importance of their Office in the present State of our Corruption. But Those who would rise above a meer Freedom from Corruption, Those who would be an Ornament to their Nature, and a Service to their Fellow-Creatures, Those who would be uniform in Integrity, and eminent in Social Virtue, would *maintain good Works, good and profitable to Men*, as the Apostle elsewhere expresses it, Such must be directed and animated by some Principles of suitable Extent and Influence; and St Paul does plainly here suppose them to be so, antecedently to the Consideration of the *Magistrate's* Interposition. Nay He not only *supposes* but *expresses* the Principle on which all Good Men act, preventing thereby all *Terror* from *Earthly Rulers*; and enforces the particular Duty owing to Governours from that which All owe to the Supreme Being. *Let Every Soul*, says He, *be subject unto the Higher Powers. For there is no Power but of God: the Powers that be, are ordained of God. Whosoever therefore resisteth the Power, resisteth the Ordinance of God: and They that resist, shall receive to themselves Damnation.* This Exhortation and Argument suppose Those to whom it is addressed, to live *in the Fear of God*, and then the Apostle adds that Those, who did so, could have no Objection to the *Magistrate's* Office even from the Nature and Design
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of it. *For Rulers are not a Terror to good Works.* Indeed the Fear of God, and the Practice of good Works, sincere Piety and sound Morality, are so closely connected, that there must be great Hypocrisy, or Self-Deceit, or Presumption, whenever Virtue does not distinguish the Professors of the true Religion. The Fear of God, and that only, is calculated equally to affect all Persons at all Seasons, and in all Circumstances of Life. The *Obligation* of Morality, as well as the *Enforcements* of it, depends entirely on Religious Principles. It is *the Will of God*, which strictly gives Authority to every other Consideration, and makes that, which is fit in itself, or reasonable in our Circumstances, or necessary to the Publick Welfare, or useful to our own, absolutely binding on Conscience. When any of these Arguments are considered as expressive of the Design of Him who made Us reasonable and social Beings, they carry then their due Weight and Influence, and may properly be urged as Evidences of our real Duty. The *Will of the Creator*, however made known, must be the just Rule of Action to all his Creatures; and the Favour of Him, on whom our eternal Welfare depends, must be the highest Motive that can be offered to *thinking Beings*, and will ever render Integrity, under the greatest present Disadvantages, upon the whole

unquestionably our highest Interest. But upon the *Atheistical* or *Sceptical* Supposition the Case would be much otherwise. If there were no God, or if he were regardless of our Behaviour, if We could disbelieve or but doubt of these great Truths, then present *Policy* or *Prudence* would be our highest Principles; and (need We ask?) Could *Good Works* in any tolerable Degree be maintained on this Foundation? The *Insufficiency* of *Human Laws* to direct, to oblige, to enforce a right Conduct in *all Cases*, is as evident as their *Usefulness* to this Purpose in *some Particulars*. Their Defects are great and many, and obvious, and occur to our first Reflection. They interfere not with our *Personal* Conduct any farther than that interferes immediately with the Publick Welfare, and therefore can only restrain some of the most *gross* and *publick* Acts of Immorality. We may destroy our Health, our Reputation, our Fortune, without offering any direct Injury to Others; and may ruin Ourselves very effectually, without falling under any Penalty of the Laws that We live under. And even with Regard to our Conduct towards *Others*, Great Strefs is to be laid on the Distinction observable in the *Text*. There is a *Medium* betwixt *good* and *evil Works*, which is the utmost Point that Human Laws can possibly secure. A Man thro' Fear of them may possibly
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be wrought on to be *Inoffensive* and *Harmless* towards his Brethren, and this would be a considerable Point gained, if their Influence had more universally this Effect. But Goodness and Compassion, a Desire to prevent and to relieve the Distresses of our Fellow-Creatures, these Qualities are necessary to secure the Welfare and Comfort of Human Life, and to answer the End for which We were sent hither with mutual Wants and social Inclinations: Yet these are evidently beyond the Power of all Human Constitutions: They cannot reach the Heart, improve its good, or extirpate its evil Dispositions; their whole Force extends no farther than the Regulation of the *outward* Behaviour. Nor is This the greatest of their Defects. The *whole external* Conduct, even in the most confessed Acts of Immorality, is not subject to their Influence. Where the Crime, or even the Author of it, can be kept secret, the *Terror of Rulers* loses its Force, and the worst of *Evil Works* may be contrived and executed without Danger: There are likewise several other Methods of preventing Punishment, and consequently of lessening the Weight of that Motive which arises from the Apprehension of it, besides this of *Secrecy*. The *Greatness* of the Crime is sometimes a Security to the Criminal; and when Wickedness appears in high Places, where it is com-

mitted against greater Knowledge, upon less Inducements, and draws after it the Corruption of more numerous Followers, yet for these very Reasons it may perhaps be more *safely* practised, and the Offenders may be privileged from the Enquiry of *Human Laws*. There is a more afflicting consideration, if possible, yet behind, that even *Understanding* and *Learning*, *Art* and *Eloquence*, may be applied to aggravate the Injury and pervert the Law; and that very Knowledge, which should teach a Man to *live virtuously*, may but instruct an Evil Heart to *sin securely*. Nay the very *Privileges* of our *national Constitution* may be liable to the same ill Use. The happy Degrees of *Liberty*, which the People of this Land enjoy, are but too easily abused to *Licentiousness*, and the great Care that has been taken that an Honest Man should not suffer thro' Injustice, may and often does prove the very Means by which a Wicked Man escapes with Impunity. In short, the *Grounds* of Obedience to the *Magistrate*, and the Discharge of *good Works*, cannot strictly be deduced but from the Supposition of previous Obligations on *Conscience*; nor can either of them be duly enforced in Argument, or reasonably be expected in Practice, but on the same Universal Principle. God Himself by the Prophet *Isaiah* reproves their Principle as insufficient, and their Practice

as irregular, charging both their *Religion* and *Morality* as defective, *whose Fear towards Him was taught only by the Precept of Men*, joining with this Charge that of Hypocrisy and Disobedience, and adding to the Whole a Denunciation of fearful Vengeance. *Is. 29. 12 &c.* But He who considers the Magistrate *as the Minister of God to Men for their Good*, as the Apostle expresses it just after the *Text*, that is, He that acts on truly Religious Principles, regarding the Institution of *Rulers* as the Appointment of that Providence for present Uses, who made Us All for farther and greater Purposes, He, and He only, has that Principle within Him, which can teach, enforce, and maintain the real Practice of *good Works*, the direct *Violation* of which it is the highest and utmost Aim of the Magistrate to prevent. This Regard to the Supreme Governour of all Things was that which maintained Good Works in the *State of Innocence*, and preserved that State as long as it was steadily adhered to. Whereas the Necessity of Earthly *Rulers*, and the Origin of all *Terrors*, arose from a *State of Corruption*; and therefore it was with peculiar Propriety that the Apostle has thus connected them, and confined their Use and Influence to this very Purpose, that *Rulers are not a Terror to Good Works, but to the Evil*. Whilst Man was able to govern Himself, and actually exercised this

Ability

Ability, Regularity and Peace were the happy Consequences, and there was no Room for inward Fear or outward Discipline.

It may be observed Thirdly, that the Good Effects of Magistracy, as far as They do reach, the beneficial Influence of it even in that lower End, as being *a Terror to Evil Works*, do still depend on the general Prevalence of Conscience amongst Men. The due Execution of the Laws, which is the *only Terror* to Those who act on no Principle Themselves, must still rest on the good Principles and faithful Practices of Others. Were not the Fear of God rooted in the Hearts of Men, the Criminal would have many more Methods, than now he has, of defeating the Course of Justice, and escaping the Vengeance due to his Crimes. He might with less Infamy, and greater Prospect of Success, apply to *corrupt* those, on whose Fidelity his Welfare would depend; and might with more Probability of Hope *entreat*, or *bribe*, or *threaten* them into a false Report, if They had no Answer to make to such pressing Applications, but the mere *Equity* of the Case, or the *Fitness of the Thing*. But the Necessity of speaking the Truth, and of giving a fair Determination according to the Evidence of it, when the God that made Us, and on whose Favour depends our eternal Welfare, is appealed to for our Integrity, is clear
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and unquestionable, is a sufficient Reply to every wrong Suggestion, and more than a Ballance to every Temptation of *Interest*, or *Affection*, or *Fear*. By this Solemn Appeal, and the natural strong Effect of it, the Integrity of the *Witness* and of the *Juror* is secured, and the Magistrate comes to the true Knowledge of the Crime thro' the Fidelity of Those, who have called on the Supreme Being and Judge for a Retribution suitable to their Fidelity. Without such Security the best Laws would be empty Words, and the strictest Processes would be unavailing Forms; and every One would speak, and testify, and determine, just as Inclination or Interest directed, if there were no Restraint from Motives of Conscience. God be thanked, the Case of an *Atheistical* Society is an imaginary one, and We trust will ever be so, since it is incredible that any considerable Number of Men should be so far lost to the very *Instincts of Nature*, the first *Principles of Reason*, and the universal Light of at least a *Traditional Revelation*, as to agree in excluding the great Author of all Things, in whom They *live and move and have their Being*, and without whom there could not have been either Thought, or Life, or Existence in the Universe. And it is equally incredible what Principles could have held such Persons together in Society (if such there had been) what Methods could

could have been contrived to establish Social Virtue, or to correct unsocial Iniquities. But not to leave Matter of Fact, or to deviate into visionary Suppositions, We may observe that *Scepticism* has, with Regard to Conduct, very nearly the same Effects as *Atheism*; and that, tho' even This cannot become *Universal*, yet in Proportion to its Progress it has very mighty and very dreadful Effects, and particularly with Respect to the Point before Us, in violating the Precepts and enervating the Sanctions of the Civil Magistrate. Contemplative Persons, especially when under the Influence of a fervent Zeal for Piety and Virtue, may perhaps sometimes *exceed* in their Charge, may *miscalculate* the practical Tendency of the Notions that They oppose; but Let Us look into Life, and appeal to Those with whom the Executive Power is lodged, and Who by their extensive Experience must be best able to determine such a Question. Do They not observe, that *Human Laws* are daily ~~losing~~ their Force, as the present Disregard to all *Divine Laws* is prevailing, and Do They not find a suitable *Increase* of Criminals in Proportion to the acknowledged *Decay* of Christian Principles? Has not the Power of *Natural Religion* sunk with that of *Revealed*, and the Cause of *Moral Virtue* with Both; and Do not the Magistrates find it more difficult to prevent Offences, and to correct the

the Offenders, since the present Spirit of Prophaneness and Infidelity has gone forth to trouble, dishonour, corrupt and ruin our Land? Was it not natural to expect that Vice should abound, since Men have been taught that it is *beneficial* to the *Publick*, and not farther prejudicial to Themselves than in the *present* State, where it is often visibly advantagious; and that they should give Way to an unbounded Pursuit of Pleasure or Profit in this World, when They are instructed to lay aside all Apprehensions of another? Does not *Experience* fully confirm these Expectations, and have not the Crimes, which have *disgraced* our Age, exceeded both in Kind and Degree, in Frequency and Insolence, those which raised the Complaints of former Times? There is indeed a peculiar Reason, why *Scepticism* lessens the Influence of the Magistrate's Authority, and takes off that *Terror* which *Rulers* were designed to be to *Evil Works*, in that the utmost Punishment which the Magistrate can inflict, at least amongst Us, is according to that Notion but a Release from Trouble, and is sometimes among such Persons a Matter of voluntary Choice. Death, which is the King of Terrors to all Malefactors, who believe a future State, and as such is threatened by the Laws as the severest Penalty to the worst Offences, is made a Matter of Sport by those re-

fin'd Reasoners who have got above all Vulgar Prejudices; the very Method by which They choose to ease their Grief, when any insupportable Calamity in Mind, Body, or Estate, comes upon them. As They acknowlege No One to be *a Lord over Them*, They claim of Course an uncontrollable Right to the Management of Themselves; and therefore when Distress happens, if it be *capable of Relief*, They have Nothing to restrain them from seizing it, tho' by Injury to Others; or if it be *incapable of Redress*, They assume the same Liberty of another Remedy by the supposed Extinction of their Being. Neither is this *Speculation* but *Fact*. *Suicide* has actually prevailed as the natural Consequence of *Infidelity*, since Annihilation is certainly preferable to irremediable Misery; and this not only amongst the learned Patrons of so undesirable a Scheme, but it has descended to some of their meaner Disciples among the Vulgar, who have had Resolution enough to act up to their Principles and to make Use of the Liberty that They so unlimitedly claim. Now This is not only the most daring Act of Disobedience towards the Author of their Beings, but is the highest Insult and even Defiance of the Magistrate's Authority, rendring his utmost Penalty contemptible, and destroying the very Foundation of any *Terror* from his Office. For what can
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He *stand in Awe of*, who *believes* Nothing of an *After-Recompence*, and who, with Regard to the *present* State, chooses often to inflict that upon Himself, which is the worst that *Rulers* can inflict upon Him? and surely He, who has no Fear of any Kind for Himself, is the most dangerous of all Enemies in Society to Others.

It will be proper to add a Fourth Observation on the *Usefulness* of the *Terror*, which *Earthly Rulers* are to *Evil Works*, tho' that Terror does not extend to all Cases or Persons. Notwithstanding the *Defects* which the Contrivance and Execution of Human Laws are necessarily subject to, which indeed were never intended as a compleat Rule of Life or Motive to Duty, yet the *good Effects* of them are numerous and considerable; and to them We owe much of the Security and Comfort of our present Station. The Terror arising from them, having the Advantage of being more visible and more immediate, than that which is threatened by Divine Authority, has of Course more Weight with those unthinking Creatures, who are engrossed with present Concerns, and look no farther than the Objects just before them. And considering how many such thoughtless Wretches there are in the World, on whom all the gracious Schemes of Providence for teaching, reminding, and awakening them to a Sense of their Duty,

have no Effect, it is to be considered as an Instance of great Mercy to Us, and even to Them, that there is this farther Call on their Attention, and more instant Motive to a regular Life. Examples of Discipline instruct Men by their Senses, which is sometimes the only Method of applying to them, and teach them experimentally that They mistook the Path of Pleasure and Comfort, when they pursued it by dishonest and injurious Means. Those, who cannot argue, can feel; and Those who can stop their Ears against all Arguments for Religion, yet cannot shut their Eyes against the Magistrate's *Execution of Wrath against them that do Evil*; but may be capable of being taught, like the *Men of Succoth, with Briers and Thorns*, tho' They will not listen to the Voice of the Charmer, charm He never so wisely with the unerring Dictates of Revelation. Now their Abstaining from *Evil Works*, on whatever Motive, is however Beneficial to the Publick; and if our Rights and Properties are secured, the Benefit is the same to Us, tho' the Merit is not the same in Him who forbears to injure Us merely thro' his Fear of the Civil Magistrate, and not on any Principle of Conscience. But there is a farther, and a very important Advantage arising from the *Terror of Rulers* even to the Heart that is not yet affected with any due Sense of God and Goodness, as being

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a probable Means of contributing to his Recovery and Reformation. The Restraints which Human Laws lay upon their Actions, must involve them in constant Uneasiness and perpetual Contradiction who do not suitably correct their Hearts, and render their Inclinations agreeable to the Precepts thus enforced. Could They, when They lay aside the Fear of God, indulge themselves absolutely in their own Humours and Desires without Controul, tho' the Scene would be short, and the Satisfaction inconsiderable, yet there would be some Appearance of Temptation to cast off the only Restraint, and to live at large at their own Will. But the most abandoned Person cannot propose, or is deceived in proposing such a Scheme. Some Stop there must at length be put to irregular Desires and Pursuits, for the Sake of Society, or the Magistrate will interpose, and either prevent or correct those Steps, which prove injurious to Others. Now when Appetites are inflamed, and long and frequent Indulgences have hitherto proceeded without Check, the Self-Denial in the *last Step*, after such a Progress in Iniquity, and such habitual Excesses, will be much more painful and uneasy than it would have been in the *first Deviation* from the Rule of Duty; and a regular consistent Virtue, beginning in Conscience and ending in Good Works, will be found
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the more easy and acceptable Task than the Scheme of sinning within proposed Limits, and indulging in Vice to such a Degree as that the *Magistrate* may not reach it. The Difficulties and Intricacies of such a partial Obedience, the Cares attending a Distraction betwixt the Love of Pleasure or Profit, and the Apprehension of Vengeance from the Magistrate, the Severity of this *Terror* to Those whose Guilt cuts off every alleviating Consideration, These complicated Troubles may prove the very Means of bringing the Offenders to a right Mind, may occasion them to review their Scheme, and for their own Sakes to reverse it; to fix the necessary Restraint at the very Boundaries betwixt Right and Wrong, and to place their Fear on its greatest and most proper Object, where it will be accompanied by Love, will render every Act of Obedience easy and uniform, and every Remembrance of it Satisfactory and Delightful. This Argument, being founded on the *Interest* of Men, is the more likely to have its Effect; and since the *Path of Duty* is the only Foundation of *Comfort*, and is itself the more easy because always consistent, therefore the *Terror* of the *Rulers* interrupting the Wicked may drive them to Goodness as the only Deliverance from all Terror; and the Fear of Men, by awakening their Attention, may lead them to the Fear of
 God,

God, which is the true Source of all Joy, and the only Refuge in all Calamities.

The Fifth Observation shall be on the great Obligation that All are under to assist in accomplishing that great End of Magistracy here represented, and in endeavouring that *Rulers* may indeed be *a Terror not to Good Works, but to the Evil*. Their own Integrity is far from being the only Article necessary to this Purpose. Were That sufficient, We of this Nation should have very ample Security, and should be able to say much more of the Compleatness of our Laws in Speculation, and of their extensive Efficacy in Practice, than at present We can do. Amongst the unhappy Divisions arising always in a free Nation, this Point almost alone remains undisputed, and the eminent Care taken in the Choice of fit Persons to administer the Laws among Us, is by all acknowledged, by All gratefully accepted. But notwithstanding their Integrity, notwithstanding their Sagacity, as They must in the Determination of Causes see with the Eyes, and hear with the Ears of Others, unless All concur impartially to search out the Cause of Truth, and to vindicate the Cause of Virtue, the best Good Works may be misrepresented, and the worst of Evil ones palliated; and Rulers with the most upright Hearts Themselves may thro' the Iniquity of Others

thers be forced to pronounce wrong Sentences. There must be a Concurrence of all Good Men in distinguishing, assisting, and protecting the same Character in Each Other, or the Magistrate alone cannot support the Interest of Virtue. Somewhat of the Inability of all Earthly Governours in this Point seems suggested in the *Text*, by that low and cautious Expression merely that *Rulers are not a Terror to good Works*: It might have been expected perhaps, that it should have been said that They are the Supporters, Encouragers, and Rewarders of good Works; but in Fact their Power of Rewarding is not, cannot be, for many Reasons, so extensive as that of Punishing. *Protection* is the Favour to be expected from their Hands by the Inoffensive, and therefore the Apostle with great Strictness and Accuracy expresses it, that *They are not a Terror to good Works*; and in the following Verse again mentions *Commendation* as the Recompence to be looked for from them. *Do that which is good, and Thou shalt have Praise of the same*. But neither can the Benefit of this lower Privilege be reaped by the Innocent, unless Every Private Man does in his Station join with the Rulers in the Support of Innocence, and think Himself both in Point of Interest and Duty obliged to it. If all Good Men would *rise up together against the Wicked, and take one common Part*
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against the Evil Doers; If They would make this the great Mark of Distinction, and would consider None as true Friends to Themselves, or to the Church and State, who were not zealous to establish Moral Duties on Evangelical Principles; if they would consider the Tie of Christian Sentiments and Practices as stricter than that of any inferior Nature, and would condemn and prosecute with equal Severity in all Persons the crying Sins of Prophaneness and Immorality, of Theft and Slander, of Perjury and Impurity, the united Endeavours of all sincere Believers might still contribute to revive the sinking Cause of Religion and Virtue; and the Conjunction of Divine and Human Laws might well be hoped to work together with Success, to the Security and Furtherance of *good Works*. The Enforcement of the other Part of the Consideration will be One successful Method even of promoting this. A Careful Provision that *Rulers* may be more effectually *a Terror to Evil Works* will facilitate the Desires and Endeavours of Those who are labouring to support good Ones. A professed Opposition to every Method of secreting the Truth, of perverting and confounding the plain and well-meaning Evidence, of supporting a flagrant Crime, or protecting a known Criminal, must be the necessary Assistant to Justice; and Every One, whether le-

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gally called on or not, should be so much *the Friend of the Court*, as it is usually called and ought always to be esteemed, as to assist to the utmost of his Ability in ascertaining the Truth and detecting the Offender. Above all, it should be a Matter of strict Conscience with the Jurors, (and it is an Article on which They do usually most need Admonition) that They do not defeat the wise Intent and Severity of the Law by their unwise Notices of Clemency, nor go contrary to positive Evidence thro' any Opinion of theirs of the Inequality of the Injury and of the Penalty. The Nature of the *Crime*, and of the due *Punishment* which should attend it, has in most Cases been determined by the Wisdom of the Nation, and the Point before them is chiefly the *Reality* of the *Fact*, which is to be determined as well without *Favour* as without *Prejudice*, and which They have solemnly called God to Witness that They would determine impartially according to the Evidence, without Respect to any other Consideration. It is as unjustifiable in itself, and to Many the more dangerous Temptation, to pervert the Truth and return a wrong Verdict, thro' too much *Tenderness*, as thro' too much *Rigour*; since Veracity and Society are equally injured in both Cases. Nay with Respect to the Publick the Injury is sometimes greater, when thro' partial Fa-

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your the Guilty is acquitted; because, should They
 err on the strict Side, there is farther Provision
 for Mercy in Wiser Breasts, and the Sufferings of
 Those who have any Appearance of Innocence
 may still be, and are usually prevented by the In-
 terposition of Those, with whom the Power of
 Grace and Favour is prudently lodged. But when
 the real Criminal is discharged by a partial Ver-
 dict, the Prosecutor is doubly injured, and has no
 farther Remedy or Means of Redress: The Ap-
 prehension of this Event has discouraged many
 Sufferers from doing Right to Themselves and to
 the Publick by a legal Prosecution, and has made
 them sit down content under the first Injury ra-
 ther than hazard their Time and Pains and For-
 tune in an uncertain and too often a fruitless At-
 tempt of gaining Reparation or promoting Disci-
 pline. The Fact, I presume, has fallen under the
 Observation of Every One who is at all conver-
 sant in the Affairs of the World, and the Conse-
 quence has been that the Laws have lost their
Terror; Offenders have more frequently escaped
 with Impunity, and have thereby been encouraged
 to the more frequent Repetitions of their Crimes.
 It will not, I hope, be unbecoming to add, that
 the Magistrates Themselves have in this Respect
 the best Power of reviving the decaying Regard
 shewn to the Laws by putting them vigorously in

Execution, and of becoming more effectually a *Terror to Evil Works*, by inflicting the Vengeance assigned by the Laws on Those who have fallen under reasonable and full Conviction. The Magistrate does not, ought not to bear the *Sword in vain*, for *He is the Minister of God, a Revenger to execute Wrath upon Him that doth Evil*. This is on the highest Authority declared to be the Intent of his Office, and it is strictly an Office of *Charity* as well as *Justice*. Every One's Compassion, the Magistrate's especially, is due to the Publick, whose Welfare can only be supported by the Prevention of mutual Injuries; and these are as far as possible to be prevented by the Certainty and Severity of the Penalty to be inflicted on those which are detected. Remissness in this Point is the most *mistaken Mercy*, as it promotes Distress and Transgression, by subjecting the Innocent to Insults and Wrongs, and encouraging the Guilty to Perseverance and Progress in their Evil Courses. Whereas those *Rulers*, who are most exemplarily *a Terror to Evil Works*, do thereby, (which is the happiest Method) prevent much Sin and Misery in the World, restraining Those who but for this Terror would offend, and thereby securing Others in the peaceable Enjoyment of their Possessions, who would otherwise have been disturbed and injured in them. Thus this Terror leads to Obedience

dience and Comfort, and what is misrepresented as *Severity* is indeed contributive to the Virtue and Happiness of Mankind. Particular Occasions and Objects of Favour unquestionably there are, which must be left to the Prudence and Goodness of the Magistrates; but whether an Easiness and Frequency in granting Pardons does not much lessen the *Terror of Rulers*, and thereby occasion most fatal Effects in Society, is a Point that deserves their most serious Attention.

Our Last Observation may suitably and profitably be employed on that more equitable Scene of Retribution, to which all these are but preparatory; where *Rulers* Themselves will be accountable for their Conduct; where *good Works* will meet with a sure Reward, and *evil ones* with as certain Vengeance. Then They who escaped the present Methods of Enquiry, and Exercise of Discipline, by concealing their Crime, or by taking the Advantage of the Doubtfulness or Obscurity of the Law; or by perverting the plain Sense of it, or by the Solicitation of Favour to defeat the very Intent of it, shall find themselves reserved to a clearer and more irreverfible Sentence; and shall then learn, that Every Contrivance and Indulgence, which contributed to lessen the *Terror* of the Law, or to encourage their Continuance in Wickedness, was in Reality the greatest Cruelty to Themselves,

as betraying them more effectually into everlasting Damnation. The deepest Fraud, the most artful Policy, the strongest Force, the very Greatness of the Crimes or of the Criminals, all which have at different Times occasioned their Security in this World, will but enhance their Condemnation in the other, and will be found to be truly more fatal Impositions upon *Themselves* than upon *Others*. No Subtlety of Penetration, no Rhetorick of Language, no Misrepresentation of Facts, will avail at the great Tribunal, but every Design and every Event will appear in their true Light with all their aggravating or abating Circumstances; whilst infinite Knowledge will direct the Sentence, and infinite Power will enforce it. The False Accusation, the Perjured Testimony, the Prevaricating Defence, the corrupt Verdict, the iniquitous Sentence, will then appear as so many Instances of *Folly* as well as of *Guilt*, and being then of no farther Use will be found to have been always of irreparable Mischief; whilst oppressed Innocence will shine thro' the Clouds of Calumny and Malice, and be triumphantly owned and rewarded by the unerring and supreme Judge. It was the very Intent of these preparatory Discourses to call Mens Thoughts from those Worldly Interests, which are so apt to engross them, and to awaken Them to the Consideration of their

their Happiness in a more important and more durable State; that They might enter on the Administration of *Justice* with warm Impressions of their Duty on their Minds, and might act in all the several Offices of the present Inquiry, as Those who *know* and *remember*, that They must All bear a more interested Part at a more solemn and important Tribunal. And in Earnest, if We believe what We profess to believe, Can We look forward to the Expectation of our *Saviour's* Coming to Judgment, and yet dare to falsify in any Point, after having staked the Security of all our Hopes and Pretensions to his Favour, on our real Veracity? He, *to whom all Judgment is committed, needeth not that Any should testify of Man, for He knoweth what is in Man; and will render to every Man according to his Works: To Them who by patient Continuance in Well-Doing, seek for Glory and Honour and Immortality, Eternal Life. But to Them who are Contentious, and do not obey the Truth, but obey Unrighteousness, Indignation and Wrath: Tribulation and Anguish upon every Soul of Man that doth Evil.* His First Appearance was to make *Satisfaction* to the Divine Justice for the Sins of all *Penitent Offenders*; and his next will be to execute the *Wrath* of the same Divine Justice on all *Impenitent Transgressors*. The Former, besides other Uses, of which We may not be competent

petent Judges, served as an exemplary Testimony of the Divine Indignation against all Sin, even tho' corrected and amended, and followed by a real Reformation; and thereby as a more severe *Terror* to all *Evil Works* repeated and persisted in: and the Latter will answer the same Purpose of vindicating the Equity and Glory of the Divine Majesty by avenging the Violation of his Law and Abuses of his offered Mercy. The present Advantages of the Institution of Magistracy will then appear to have been derived from his Appointment and Authority, and the present Defects of it will be supplied and recompenced by his infallible Decision and Disposal. Then will all Distinctions cease but That spoken of in the Text betwixt *Good* and *Evil Works*; for the Apostle, as the surest Evidence, describes the Tree by the Fruits, points to the Principle by the Effects, to Faith by Virtue, and specifies the Deeds rather than the Persons of Men. To use then the Prophet *Malachi's* Phrase, *He shall return and discern*, and by his final Determination make all the World to discern, *betwixt the Righteous and the Wicked*, *betwixt Him that swore falsely and Him that feared an Oath*, in one Word, *betwixt Him that served God and Him that served Him not*. Now whilst We are thinking seriously and attentively on these Things, into what comparative In-

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significancy sink all our other Schemes and Competitions; and what can appear to be of any great Weight but the joint and fervent Pursuit of our Saviour's covenanted Favour on the unfeigned Conditions of Piety and Virtue? This has, or should have, a strong Tendency to unite and reconcile all Pious Christians to Each Other, to lessen and compose all other Differences, and to excite mutual Charity and Forbearance in their Passage thro' Life, whilst their *great End* in all is the same, and the *necessary Means* as uniformly agreed on. Whilst Heaven is our Aim, and an unvaried Integrity our constant Path, of what inconsiderable Importance are all other Questions, where Religion or Morality are not concerned? Our Differences in Speculation, our various Opinions in Arts and Sciences, or the more *material* because more *practical* Disputes relating to personal or national Interests, vanish as Nothing at the Remembrance of our important Union in the Service of God and Goodness, and our sincere and joint Zeal in that Service. Are not *our Hearts* naturally *enlarged towards our Brethren*, when We consider them as *Heirs together with Us of the Grace of Life*, as adoring the same God and Saviour, promoting the same Cause of Piety and Virtue, and in all Respects enjoying and valuing the same Means of Grace and Hope of Glory with Our-

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selves? And should We not then labour to dwell much and often on this Consideration, that We may calm and mitigate our Passions, exert and improve our Reason, and sweeten and meliorate our Affections towards each other, thereby mutually strengthening our Influence and Interest in the great Service which We all profess to have undertaken? For the Misfortune is, that, whilst Good Men are divided about lesser Matters, Bad Ones make Advantage of those Divisions, and pervert them to the Breach of Justice and Charity; and thus They are *indirectly* made assistant to the Progress of *Evil Works*, who very sincerely mean, and desire, and endeavour to promote good ones. Let Us then without Reserve profess, and without Fluctuation maintain an uniform Obedience in the Faith and Fear of God, and abhor every Engagement inconsistent with the solemn Appeal that We are at any Time called on to make to Him for his Protection and our Veracity; and whilst our own Consciences, and the great Judge of them, can bear Witness to our Fidelity, let the Importance of such Obligations remind Us, that Others are not lightly to be charged with such tremendous Guilt, as that of defying the Vengeance of God by challenging his Judgments on Themselves, if they are guilty of Hypocrisy. Such abandoned Impiety should strike us with

Terror

Terror, and should dispose Us to act faithfully, and believe charitably ; and in such mutual Fidelity and Candour, *Rulers* would be more safe, and Subjects more happy, and Both would rejoyce in Each Other with greater Security and Satisfaction. Let Us conclude the Whole with a fervent Petition to the Author of our Being, and Fountain of our Happiness, in the Words of our excellent Liturgy, "That it would please Him
 "to bless and keep the Magistrates, giving them
 "Grace to execute Justice, and to maintain
 "Truth."

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Terror, and should dispose us to act similarly;
 and believe charitably; and in such mutual inter-
 est and Candour, always would be more full, and
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 action. Let us conclude the whole with a fir-
 vent Petition to the Author of our Being, and
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 O Lord, and keep the Magistrate, giving them
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